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6 **UNITED STATES DISTRICT COURT**
7 **SOUTHERN DISTRICT OF CALIFORNIA**
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9 RAMON DE LEON-TORRES,

10 Petitioner,

11 vs.

12 UNITED STATES OF AMERICA,

13 Respondent.

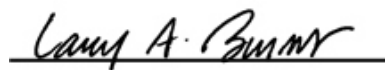
CASE NO. 07CV1874-LAB
[Related Case No. 04cr2898-LAB]
[Related Case No. 05cv2074]

**ORDER DENYING WITH
PREJUDICE 28 U.S.C. § 2255
MOTION**

14 By Order entered April 26, 2006, the undersigned District Judge denied petitioner Ramon
15 DeLeon-Torres' ("DeLeon-Torres") 28 U.S.C. § 2255 motion in Case No. 05cv2074-LAB and
16 dismissed that action prejudice. De-Leon Torres appealed that result. By Order entered
17 September 14, 2007, the Ninth Circuit Court of Appeals denied his application for authorization to file
18 a second or successive 28 U.S.C. § 2255 motion in the District Court, for failure to make the required
19 *prima facie* showing. *See* 04cr2898-LAB Dkt No. 35; *see also* 05cv2074-LAB Dkt No. 1. The Ninth
20 Circuit instructed: "No petition for rehearing or motion for reconsideration shall be filed or entertained
21 in this case." *Id.* On September 20, 2007, DeLeon-Torres impermissibly filed a second or successive
22 28 U.S.C. § 2255 motion in this new case, again seeking to vacate, set aside, or correct his sentence.
23 The motion is **DENIED WITH PREJUDICE.**

24 **IT IS SO ORDERED.**

25 DATED: October 15, 2007

26 

27 **HONORABLE LARRY ALAN BURNS**
28 United States District Judge